UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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Jewish Child Care Assoc. ,

                         Plaintiff(s),

v.   **NOTICE OF INITIAL**
                                                CONFERENCE

Carl Fulgenzi et al.,   ,   No. 24 -CV- 2580   (PMH)

                         Defendant(s).
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        THIS MATTER HAS BEEN SCHEDULED FOR AN INITIAL CASE MANAGEMENT
AND SCHEDULING CONFERENCE, pursuant to Fed. R. Civ. P. 16, on July 23, 2024
at 2:30 p.m.   , by telephone conference. At the time of the scheduled conference, all parties
shall call the following number: (888) 398-2342; access code 3456831.

        PLAINTIFFS, OR COUNSEL FOR PLAINTIFFS, SHALL NOTIFY ALL PARTIES, IN
WRITING, OF THE CONFERENCE DATE AND TIME, AND PROVIDE ALL PARTIES
WITH A COPY OF THIS NOTICE AND THE ATTACHED CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER (UNLESS THE CASE HAS BEEN REMOVED FROM STATE
COURT, IN WHICH EVENT COUNSEL FOR THE REMOVING DEFENDANT(S) SHALL
PROVIDE SUCH NOTICE TO ALL PARTIES).

        At the conference, counsel will be expected to provide a brief oral status report outlining
the nature of the disputes requiring adjudication and setting forth the factual and legal bases for
the claims and defenses. Subject matter jurisdiction will be considered, as well as all matters
related to case management.

        In cases in which subject-matter jurisdiction is founded on diversity of citizenship pursuant
to 28 U.S.C. § 1332, the party asserting the existence of such jurisdiction shall file the letter
required by Rule 2(B) of the Court's Individual Practices at least one week before the initial
conference.

        In cases in which Fed. R. Civ. P. 26(f) applies, counsel shall confer at least 21 days prior
to the conference date and attempt in good faith to agree upon a proposed discovery plan that will
ensure trial readiness within six (6) months of the conference date. Please complete and submit in
accordance with Rule 2(B) of the Court's Individual Practices the attached Civil Case Discovery
Plan and Scheduling Order at least one week before the initial conference. After hearing from
counsel, the Court will consider whether to grant a longer period only for good cause shown.

Dated: White Plains, New York
        June 3, 2024

                                                Michael Frankel
                                                _____
                                                Michael Frankel
                                                Courtroom Deputy to Hon. Philip M. Halpern

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
---X

               Plaintiff(s),

v.

               Defendant(s).

---X

**CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

_____CV_____(PMH)

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel and any unrepresented parties, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] [do not consent] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed and the parties shall file a fully executed Notice, Consent, and Reference of a Civil Action to a Magistrate Judge (form AO 85) using the ECF Filing Event "Proposed Consent to Jurisdiction by US Magistrate Judge" prior to the Initial Pretrial Conference at which time such scheduled conference will be cancelled.)

2. This case [is] [is not] to be tried to a jury.

3. Amended pleadings may not be filed and additional parties may not be joined except with leave of the Court. Any motion to amend or to join additional parties shall be filed by _____. (Absent exceptional circumstances, 30 days from date of this Order.)

4. Initial disclosures pursuant to Fed. R. Civ. P. 26(a)(1) shall be completed by _____. (Absent exceptional circumstances, 14 days from date of this Order.)

5. Fact Discovery

   a. All fact discovery shall be completed by _____. (Absent exceptional circumstances, a period not to exceed 120 days from date of this Order.)

   b. Initial requests for production of documents shall be served by _____.

   c. Interrogatories shall be served by _____.

d. Non-expert depositions shall be completed by _____.

e. Requests to admit shall be served by _____.

f. Any of the interim deadlines in paragraphs 5(b) through 5(e) may be extended by the written consent of all parties without application to the Court, provided that all fact discovery is completed by the date set forth in paragraph 5(a).

6. Expert Discovery

    a. All expert discovery, including expert depositions, shall be completed by _____. (Absent exceptional circumstances, 45 days from date in paragraph 5(a); i.e., the completion of all fact discovery.)

    b. Plaintiff's expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by _____.

    c. Defendant's expert disclosures pursuant to Fed. R. Civ. P. 26(a)(2) shall be made by _____.

    d. The interim deadlines in paragraphs 6(b) and 6(c) may be extended by the written consent of all parties without application to the Court, provided that all expert discovery is completed by the date set forth in paragraph 6(a).

7. Additional provisions required by Fed. R. Civ. P. 26(f) and agreed upon by the parties are attached hereto and made a part hereof.

8. ALL DISCOVERY SHALL BE COMPLETED BY _____. (Absent exceptional circumstances, this date should align with the close of expert discovery.)

9. The parties shall file a joint letter concerning settlement/mediation by _____. (Unless otherwise ordered by the Court, within 14 days after the close of fact discovery).

10. a. Counsel for the parties have discussed an informal exchange of information in aid of an early settlement of this case and have agreed upon the following:

    _____
    _____
    _____

    b. Counsel for the parties have discussed the use of the following alternate dispute resolution mechanisms for use in this case: (i) a settlement conference before a Magistrate Judge; (ii) participation in the District's Mediation Program; and/or (iii) retention of a privately retained mediator. Counsel for the parties propose the following alternate dispute resolution mechanism for this case: _____

    _____

      c.   Counsel for the parties recommend that the alternate dispute resolution mechanism designated in paragraph b, be employed at the following point in the case (e.g. within the next sixty days; after the deposition of plaintiff is completed (specify date); after the close of fact discovery)_____

_____

      d.   The use of any alternative dispute resolution mechanism does not stay or modify any date in this Order.

11. All motions and applications shall be governed by the Court's Individual Practices, including the requirement of a pre-motion conference before a motion for summary judgment is filed.

12. Unless otherwise ordered by the Court, within 30 days after the date for the completion of discovery, or, if a dispositive motion has been filed, within 30 days after a decision on the motion, the parties shall submit to the Court for its approval a Joint Pretrial Order prepared in accordance with the Court's Individual Practices. The parties shall also comply with the Court's Individual Practices with respect to the filing of other required pretrial documents.

13. The parties have conferred and their present best estimate of the length of the trial is _____.

14. This Civil Case Discovery Plan and Scheduling Order may not be modified or the dates herein extended without leave of the Court or the assigned Magistrate Judge acting under a specific order of reference (except as provided in paragraphs 5(f) and 6(d) above).

15. The Magistrate Judge assigned to this case is the Honorable _____.

16. If, after the entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.

17. The next case management conference is scheduled for _____ at _____. (The Court will set this date at the initial conference.)

Dated: White Plains, New York

_____

                                 SO ORDERED:

                                 _____

                                 Philip M. Halpern
                                 United States District Judge